

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 13-9003

JAMES A. DENNIS

FILED

SEP 30 2016

LUCY V. CHIN, Interim Clerk
By _____ Dep. Clerk

v.

SECRETARY PENNSYLVANIA DEPARTMENT OF CORRECTIONS;
SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE;
SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW;
DISTRICT ATTORNEY OF PHILADELPHIA COUNTY,

Appellants

On appeal from the United States District Court
for the Eastern District of Pennsylvania
(District Court No.: 2-11-cv-01660)
District Judge: Honorable Anita B. Brody

Argued on November 5, 2014 before Merits Panel
Argued En Banc on October 14, 2015

Before: McKEE Chief Judge, AMBRO, FUENTES, SMITH,
FISHER, CHAGARES, JORDAN, HARDIMAN, GREENAWAY, JR.,
VANASKIE, SHWARTZ, KRAUSE and RENDELL*, Circuit Judges

*Honorable Marjorie O. Rendell assumed Senior Status on July 1, 2015.

JUDGMENT

This case came on to be heard on the record before the United States District Court for the Eastern District of Pennsylvania and was argued on October 14, 2015.

On consideration whereof, is it now hereby,

ORDERED and ADJUDGED by this Court that the Judgment of the District Court entered August 21, 2013, is hereby **AFFIRMED**. Petitioner shall be released unless the Commonwealth commences a new trial against him within 90 days after issuance of the mandate.

All of the above in accordance with the Opinion of this Court.

ATTEST:

s/ Marcia M. Waldron
Clerk

Dated: August 23, 2016

The seal of the United States Court of Appeals for the Third Circuit is circular. It features an eagle with spread wings perched on a shield. The shield is divided into sections, with a constellation of stars in the upper left. The words "UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT" are inscribed around the perimeter of the seal.
Certified as a true copy and issued in lieu
of a formal mandate on September 30, 2016

Teste: Marcia M. Waldron
Clerk, U.S. Court of Appeals for the Third Circuit